

## **Exhibit 7**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Texas Association for the Rights of the	§	
Unemployed, Kathryn Kawazoe,	§	
Stephanie Stout, Kimberly Hartman,	§	
Charles Harmon, and Jesus Duarte,	§	
	§	
<i>Plaintiffs,</i>	§	Civil Action No. 1:22-cv-00417
	§	
v.	§	
	§	
Ed Serna, Executive Director, Texas	§	
Workforce Commission, in his official	§	
capacity	§	
	§	
<i>Defendant.</i>	§	

**Unsworn Declaration of Donna Lowe**

1. My name is Donna Lowe, and I am an employee of the governmental agency, the Texas Workforce Commission (TWC). I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the following is true and correct.
2. I am an Assistant General Counsel and Assistant Manager in the Open Records Department in the Office of General Counsel Division of TWC.
3. As part of my assigned responsibilities, I work with Open Records staff and TWC attorneys to obtain records needed to fulfill requests for records. To search for emails, I use the Microsoft Advanced eDiscovery tool.
4. I performed a search for e-mails from relevant TWC staff email locations containing the keywords, which were drawn from Plaintiffs' Requests for Production or supplied by Plaintiffs themselves and met other criteria described in the attached exhibit. *See* Ex. A.
5. Based on an estimated review time of 30 seconds per item (emails and related items, such as attachments) or one minute per e-mail, it would require approximately eight full-time attorneys working for one year to review and apply appropriate redactions to the responsive records. This estimate does not include additional time for recruiting, hiring, management, or second level record review.
6. Based on an average salary of \$50,000 per year, it would cost TWC at least \$400,000 to respond to the discovery requests related to the four searches listed in Ex. A.

Executed in Guadalupe County, State of Texas, on the 28<sup>th</sup> day of June 2023

*Donna Lowe*  
Donna Lowe, Declarant

# Exhibit A

Four separate searches to locate responsive records.

## 1. Appeals Search.

Locations searched: Email locations from list of names  
Date Range: 2020-01-01 AND 2023-06-02  
Search Terms: "30 day" "45 day" "appeal" "appeals" "prompt" "promptness" "60%"  
"80%" "9054" "9055" "backlog" "hearing" "hearings" "schedule"  
"scheduling"  
Results: 7 Email locations with hits  
Totals: 242,292 Emails; 145,084 Related Items; 387,376 Total Items

## 2. Form Language Search.

Locations searched: Email locations from list of names  
Date Range: Date>2019-12-31 AND Date<2023-06-03  
Search Terms: "notice" "form language" "equity grant" "plain language"  
"readability" "reading level"  
Results: 8 Email locations with hits  
Totals: 236,958 Emails; 186,318 Related Items; 423,501 Total Items

## 3. Press Release Search.

Locations searched: Email locations from list of names  
Date Range: 2020-07-01 AND 2020-08-31  
Search Terms: "press release" "fraud" "fraudulent" "identity theft"  
Results: 14 Email locations with hits  
Totals: 16,678 Emails; 12,904 Related Items; 29,582 Total Items

## 4. DOL Search.

Locations searched: All TWC employee emails  
Date Range: 2019-12-31 AND 2023-06-03  
Search Terms: "fraud" "fraud prevention" "audit" "identify verification"  
"waiver" "notice" "form language" "equity grant" "plain  
language" "readability" "reading level" "identity" verif\*  
Added Constraint: At least one participant with "dol.gov" included in thread  
Results: 1,402 Email locations with hits  
Totals: 278,504 Emails; 358,763 Related Items; 637,267 Total Items